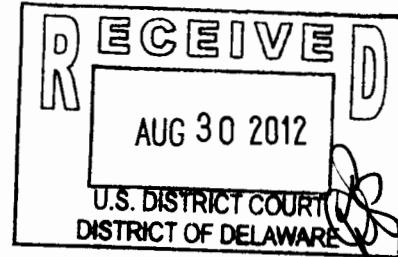


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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

STARHOME GMBH,)
v.)
Plaintiff,)
AT&T MOBILITY LLC, ROAMWARE,)
INC. and T-MOBILE USA, INC.,)
Defendants.)
C.A. No. 10-434 (GMS)



**STIPULATION RESERVING RIGHT TO APPEAL AND
FOR ENTRY OF FINAL JUDGMENT OF NON-INFRINGEMENT
UNDER THE COURT'S CLAIM CONSTRUCTION**

WHEREAS, Plaintiff Starhome GmbH ("Starhome") brought this action against Defendants AT&T Mobility LLC, Roamware, Inc., and T-Mobile USA, Inc. ("Defendants") in which Starhome has asserted that Defendants infringe certain claims U.S. Patent Nos. 6,920,487 (the "'487 patent") and 7,231,431 (the "'431 patent");

WHEREAS, Defendants have denied that the '487 patent and the '431 patent are valid or infringed, and counterclaimed that the '487 patent and the '431 patent are each not valid and not infringed;

WHEREAS, the term "intelligent gateway" is an element of each asserted claim of the '487 patent and the '431 patent;

WHEREAS, in its Claim Construction Order of April 12, 2012 (D.I. 124) the Court construed the claim term "intelligent gateway" to mean "a network element that transfers information to and from a mobile network and another network external to the mobile network";

WHEREAS, on July 25, 2012, the Court granted Defendants leave to file a motion for summary judgment of non-infringement based on the Court's construction of "intelligent gateway";

WHEREAS, the parties stipulate that the accused systems do not directly transfer information to and from a network external to the mobile network;

WHEREAS, in view of the above, Starhome stipulates that the Defendants' accused systems do not infringe the '487 patent and the '431 patent under the Court's construction of "intelligent gateway"; and

WHEREAS, to avoid the expense and time for resolving a motion by Defendants for summary judgment of non-infringement based on the Court's construction of "intelligent gateway," Starhome seeks to enter into a Judgment of Non-Infringement by Defendants of the '487 patent and the '431 patent;

The parties, by and through their undersigned counsel, hereby agree as follows:

1. On the basis of the Court's construction of "intelligent gateway" and the parties' stipulation that the Defendants' accused systems do not practice this limitation as so construed, either literally or under the doctrine of equivalents, the Court should enter a final judgment of non-infringement by Defendants of the '487 patent and the '431 patent.

2. Starhome's claims of infringement under the '487 and '431 patents against Defendants should be dismissed WITH PREJUDICE.

3. In connection with such final judgment of non-infringement, Defendants' defenses and counterclaims should be dismissed WITHOUT PREJUDICE to Defendants' right to assert any and all defenses and counterclaims in the event of an appellate judgment other than affirmance.

4. The parties recognize that because the parties stipulate to non-infringement based on the "intelligent gateway" limitation, this stipulation and proposed final judgment resolves the issue of non-infringement based only on the Court's construction of the

term "intelligent gateway," and that all other issues, including claim constructions of other terms, have not been finally resolved by the Court. The parties reserve all rights to appeal other rulings that do not form the basis for the finding of non-infringement described above, including the Court's other claim construction rulings, in the event of an appellate judgment other than affirmance.

5. The parties respectfully request that the Court enter judgment in the form attached hereto as Final Judgment of Non-Infringement.

MORRIS JAMES LLP

/s/ Kenneth L. Dorsney

Richard K. Hermann (#405)
Kenneth L. Dorsney (#3726)
500 Delaware Avenue, Suite 1500
P.O. Box 2306
Wilmington, DE 19899-2306
(302) 888-6800
rherrmann@morrisjames.com
kdorsney@morrisjames.com

Attorneys for Plaintiff Starhome GmbH

OF COUNSEL:

John M. DiMatteo
Jesenia M. Ruiz de la Torre
Robert G. Kofsky
WILLKIE FARR & GALLAGHER LLP
787 Seventh Avenue
New York, NY 10019
(212) 728-8000

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Rodger D. Smith II

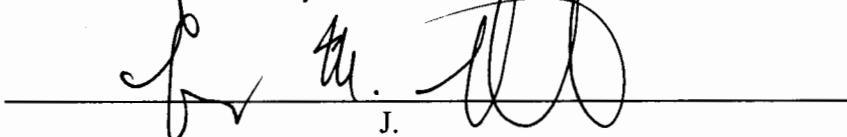
Jack B. Blumenfeld (#1014)
Rodger D. Smith II (#3778)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
rsmith@mnat.com

*Attorneys for Defendants AT&T Mobility LLC,
Roamware, Inc., and T-Mobile USA, Inc.*

OF COUNSEL:

Josh A. Krevitt
Frederick S. Chung
R. Scott Roe
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166
(212) 351-4000

SO ORDERED this 12th day of Sept 2012.

Handwritten signatures of the judge and clerk. The judge's signature is a stylized 'J.' The clerk's signature is a stylized 'M.' and 'J.'

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

STARHOME GMBH,)
Plaintiff,)
v.) C.A. No. 10-434 (GMS)
AT&T MOBILITY LLC, ROAMWARE,)
INC. and T-MOBILE USA, INC.,)
Defendants.)

[PROPOSED] FINAL JUDGMENT OF NON-INFRINGEMENT

Based on the parties' Stipulation Reserving Right to Appeal and For Entry of
Final Judgment of Non-Infringement Under the Court's Claim Construction, the Court finds, and
it is HEREBY ORDERED that:

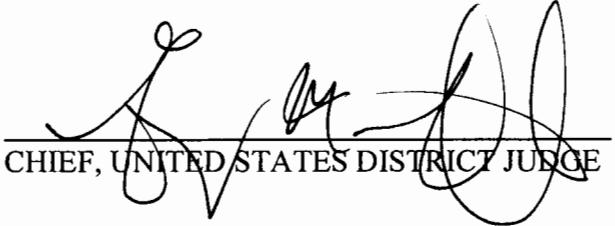
1. The Defendants do not directly or indirectly infringe, and have not directly or indirectly infringed, either literally or under the doctrine of equivalents, any claim of U.S. Patent Nos. 6,920,487 and 7,231,431 under the Court's construction of the term "intelligent gateway" because Defendants' accused systems do not include a network element that transfers information to and from a mobile network and another network external to the mobile network.

2. Plaintiff's claims of infringement under the '487 and '431 patents against Defendants are hereby dismissed WITH PREJUDICE and Plaintiff shall take nothing from Defendants with respect to its allegations of infringement.

3. Defendants' defenses and counterclaims are dismissed WITHOUT PREJUDICE to Defendants' rights to assert any or all such defenses and counterclaims in the event this matter results in an appellate judgment other than affirmance.

4. This final judgment resolves the issue of non-infringement based on the Court's construction of the term "intelligent gateway." All other issues, including claim construction of other terms of the '487 and '431 patents, have not been finally resolved by the Court.

Dated: August 12, 2012



CHIEF, UNITED STATES DISTRICT JUDGE